

IDAHO STATE POLICE PROCEDURE

07.11 PATROL OPERATIONS

A. General

Traffic stops and interactive, self-directed patrols are vital law enforcement responsibilities. Effective patrol practices control motor vehicle operation, provide law enforcement visibility and deter criminal activity. The Idaho State Police (ISP) improves public safety by rigorously enforcing traffic laws, and actively seeking, disrupting, investigating and eradicating both criminal activity and transport of illegal contraband on Idaho roads. Activities include but are not limited to:

1. enforcing traffic laws;
2. making criminal investigative stops to identify and apprehend criminals;
3. apprehending fugitives;
4. apprehending drug traffickers;
5. seizing illegal drugs;
6. detecting and investigating motor vehicle theft;
7. seizing assets related to and derived from criminal activities. Asset forfeitures are processed in accordance with ISP procedure [06.09 Evidence and Property](#); and
8. homeland defense.

ISP cooperates with and provides information to other police agencies, both within and outside the state, to assist in detecting and preventing crimes and apprehending criminals.

B. Communication Barriers in Assistance and Enforcement Activities

1. Troopers frequently encounter barriers to effective communication when performing motorist assistance or enforcement actions.
2. Communication barriers may result from disability, medical conditions, unfamiliarity with the English language, hearing impairment or other factors.
3. When encountering communication barriers, troopers rely on training and current law to identify the barrier, simplify communication, and protect the individual's rights and access appropriate resources for assistance.

IDAHO STATE POLICE PROCEDURE

4. When communication barriers exist due to an apparent disability, troopers must give primary consideration to the individual's preference in determining which communication aid to employ, unless a more effective method of communication exists.
5. ISP Dispatch may assist in locating a language interpretation service for troopers needing assistance in extraordinary circumstances.

C. Uniformity of Enforcement

1. All statutes, laws and regulations must be enforced uniformly in all parts of the state.
2. Whenever a trooper witnesses a violation of the law, the trooper must take enforcement action appropriate to affect a change in the violator's behavior unless otherwise officially engaged:
 - a. verbal warning;
 - b. written warning;
 - c. citation; or
 - d. physical arrest.
3. All traffic stops, highway enforcement activities, detention, arrest or other non-consensual treatment of an individual must be the result of reasonable articulable suspicion and/or probable cause.
 - a. Troopers should consult with an ISP detective when an investigative contact needs further investigative steps. Examples are: distribution or trafficking large amounts of drugs, situations impacting homeland security or potential evidence of felony crimes.
 - b. arrests resulting from information originating from any Department of Justice or state database, such as NCIC or IHOTS, must be accompanied by a criminal arrest warrant or an appropriate determination of probable cause.
 - c. detainment of any individual as a result of information from the above, (b) must be in accordance with ISP standard practices.

D. Legislative Privilege from Arrest

1. The [Idaho Constitution, Article III, Section 7](#) grants legislators privilege from arrest and civil process ten (10) days prior to and during the legislative session except in felony offenses and breach of the peace:
 - a. "civil process" includes service of a uniform citation;
 - b. "privilege from arrest" is not synonymous with "immune from action".
2. At the time of the incident, if it is up to 10 days prior to or during the legislative session, the officer must:
 - a. allow the legislator to proceed as soon as he or she is identified as such unless the legislator poses a hazard to the public;

IDAHO STATE POLICE PROCEDURE

- b. if the legislator poses a hazard, gather appropriate evidence and assist the legislator to obtain alternate transportation;
 - c. document the offense or incident using an ISP incident report; and
 - d. conduct any preliminary investigation needed.
3. Following completion of the legislative session and within the period of the statute of limitations, the trooper:
 - a. completes any necessary investigation;
 - b. issues and serves any applicable uniform citations; and/or
 - c. makes any arrest pursuant to a warrant for violations of the law committed during the legislative session.

E. Medical Personnel Responding to Emergencies

1. Emergency medical technicians (EMTs) and/or paramedics responding as members of a volunteer quick response unit, physicians, anesthesiologists, and nurses responding to a medical emergency involving a human being are:
 - a. detained for a citable traffic offense only long enough to obtain their names, addresses and destinations to use in completing a uniform citation or warning;
 - b. not arrested or taken into physical custody for most misdemeanor traffic offenses;
 - c. arrested or taken into physical custody for “driving while under the influence” or any circumstances in which arrest is necessary to protect public safety.
2. To obtain the services of other medical personnel, the trooper:
 - a. immediately notifies the hospital or other facility where the patient is located or destined; and
 - b. informs a responsible individual that the person responding to the medical emergency is in custody.

F. Cooperation and Exchange of Information

The ISP cooperates with and provides information to other police agencies, both within and outside the state, to assist in detecting and preventing crimes and apprehending criminals.

G. Drafting of Handwritten Citations

The Idaho Uniform Citation is a court document and must be completed in a professional manner.

1. The information must be printed legibly except where signatures are required.
2. The trooper must explain the information listed on the citation to the violator.

IDAHO STATE POLICE PROCEDURE

3. Generally, the trooper will ask the violator to sign the citation. If there are extenuating circumstances, the trooper may serve the citation without the violator's signature.
4. Copies of the citation are distributed:
 - a. the red-bordered copy to the violator;
 - b. the original and the yellow-bordered copy to the court; and
 - c. the green-bordered copy kept on file at the district office as the officer's copy.

H. E-Ticketing

1. ISP-approved E-Ticketing software and hardware are utilized to issue citations in accordance with ISP-approved training.
2. Troopers must explain the information listed on the citation to the violator.
3. If E-Ticketing is used to issue a citation, the trooper does not ask for the violator's signature on the citation.
4. E-Ticket citations must be checked for accuracy by the issuing trooper prior to service upon the violator.

I. Reporting

1. All required reports must be completed within 5 working days in draft form.
 - a. In accordance with ISP procedure 06.09 Evidence and Property, all reports involving the seizure of property, where forfeiture will be filed pursuant to IC 37-2744 – Forfeitures, must be finalized and frozen within 10 calendar days.
 - b. Once reports involving forfeitures are completed/frozen, notification will be sent via electronic mail to DL Seizure and Forfeitures address in Outlook.
 - c. ISP legal will draft a complaint on the property that ISP is pursuing forfeiture for the ISP Trooper/Detective signature.
 - d. ISP legal will file the completed complaint in the county the seizure occurred.
 - e. Forfeiture complaints must be filed within 30 calendar days of the original seizure.
2. All arrests require a written Tiburon report;
3. If there is an arrest at a crash site, enter the "crash synopsis" information into the Tiburon report.
4. All seized evidence and found property require a written Tiburon report;
5. Reports should reflect which video system was used to record an incident. For example, if the Arbitrator camera system was used, this should be noted in the report summary of

IDAHO STATE POLICE PROCEDURE

both the primary trooper and any supplemental reports generated by back-up troopers who used their Arbitrator Systems as well.

6. Reports of crash investigations are completed and submitted pursuant to section F. Reports, of ISP procedure [07.02 Crash Investigation](#).

J. Treatment and Transportation of Deceased

1. Whenever troopers are first on-scene or the primary investigators of an incident involving a deceased person(s), officers secure the scene and take appropriate investigative action.
2. Troopers take appropriate action to prevent any acts or remarks that do not treat the deceased with respect and dignity.
3. The shift supervisor is notified of the fatality.
4. The appropriate county sheriff's office, coroner's office, and funeral home (if it is the practice of that county) are notified.
5. Reasonable efforts must be made to cover the deceased as soon as practical to minimize exposure to the public:
 - a. this does not restrict ISP's proper investigation of the incident;
 - b. unobstructed photos, videotapes and measurements are allowed to complete the proper reconstruction of the scene, and the deceased is re-covered as soon as possible.
6. Troopers must wear appropriate hand, face and eye protection to prevent the transmission of blood borne pathogens when handling a body or likely to contact a victim's body fluids.
7. The only authorized mode of transportation of the deceased is by the coroner's office or the funeral home or their designee. Exceptions are approved by the district Captain.

K. Fatality Notifications

1. As part of crash or other investigations or upon the request of a law enforcement agency outside of Idaho, troopers may make fatality notifications to next of kin in Idaho.
2. The trooper makes the notification in person and may take another trooper or a Chaplain to assist.
3. The trooper uses the process outlined in ISP procedure 05.03 On Duty Injury or Death as a guideline for communicating with the next of kin.

IDAHO STATE POLICE PROCEDURE

4. Requests from other law enforcement agencies are verified and assigned by the shift supervisor.
5. If the next of kin in an Idaho investigation resides out of state, the shift supervisor provides an RCO with sufficient information to contact the respective state police agency nearest the family's residence to request notification.
6. If no state police resources are available, local law enforcement agencies can be utilized.

L. High Risk Stops

1. High-risk stop techniques may be used whenever a trooper reasonably believes that his or her personal safety is at risk or the safety of others is in immediate jeopardy. High risk stop techniques shall be used at the termination of a pursuit.
2. If it is determined that the circumstance(s) for the high-risk stop has changed pursuant to the reasonable perspective of the trooper on scene, de-escalation techniques shall be employed as outlined in Use of Force 06.15(III)(C) of ISP procedure.

M. Roadblocks

When necessary to establish a temporary roadblock, troopers must adhere to the minimum requirements set forth in [Idaho Code §19-622](#).

N. Searches

1. Troopers perform a "frisk" or Terry-standard search for weapons whenever there is reasonable suspicion to believe the subject may have weapons.
2. Consent must be obtained before any consent search is conducted:
 - a. requests for consent search must be based on facts that are present and constitute a reasonable, articulable suspicion that the search will uncover evidence of a crime;
 - b. attempt to obtain written consent to conduct a search, and when possible, use the printed [Consent to Search](#) form;
 - c. verbal consent is acceptable when written consent cannot be obtained.
 - d. articulate specifically how the subject gave their verbal consent.
3. Probable cause and warrant searches are conducted according to current training.

O. Arrest

1. Troopers must perform a search whenever a subject is arrested.
2. Subjects taken into custody are handcuffed with their hands behind their backs:

handcuffing occurs prior to the search incident to the arrest; under ordinary circumstances,

IDAHO STATE POLICE PROCEDURE

hinge-cuffs are not to be used on subjects with small wrists.

3. In the limited situations when CVS/HM Specialists transport subjects taken into custody, belly chains will be used in place of handcuffs.
4. The arrestee(s) are searched again prior to transport if there is a significant delay between the initial search and transportation.
5. Troopers may use restraints such as the hobble line and/or other safe restraint system (such as the WRAP) to secure a violent or potentially violent person while being transported in a police vehicle:
 - a. to reduce the possibility of asphyxia, at no time is the hobble restrainer attached to the handcuffs in a “hog tie” fashion; and
 - b. the transporting trooper must periodically monitor the person for respiratory problems.

P. Emotionally or Mentally Unstable Subjects

1. A trooper may take a subject who appears emotionally or mentally unstable into custody without court order in accordance with [Idaho Code § 66-326](#).
2. Troopers must use caution when dealing with these subjects, as they can be unpredictable and extremely violent.

Q. Jail Processing

1. Troopers may assist jail personnel in any booking, frisking, or searching of subjects to be incarcerated by the troopers in accordance with Sheriff's Office jail procedures.
2. Troopers may assist with strip searches only on subjects of the same gender as the trooper.